REMARKS

Claims 1-8 and 10-20 remain in this application.

For the sake of clarity, and to emphasize the patentable distinctions of applicant's invention over the prior art, claim 1 has been amended to recite a system for placing an advertisement on the monitor of a computer of a user of an Internet Service Provider connected to the computer via a connection having a connection speed and compensating said user for receiving and viewing said advertisement, comprising: (a) an Internet server; (b) at least one application logic set stored on said server, each of said application logic sets being provided with means for causing a browser of said user to display said advertisement in a non-dismissible and temporary browser window on said monitor for a predetermined time period; (c) a registration means for accepting a request from said user to become a registered user; (d) a registered user database on said server for storing registered user information and computing and storing said registered user's advertisement viewing history; and (e) a compensation means for compensating said registered user for receiving and viewing said advertisement provided said user has previously registered, the compensation means comprising free hardware or software, whereby access by said user of said Internet Service Provider triggers display of said advertisement in a temporary and non-dismissible window on said monitor for a predetermined time period and effects compensation of said registered user, wherein the compensation is in the form of free hardware or software. Claims 8 and 15-16 have been amended in a similar fashion to specifically call for compensating a registered user for receiving and viewing an advertisement wherein the compensation is in the form of free hardware or software.

Each of the foregoing amendments is clearly supported by the original specification. In particular each of the foregoing amendments is clearly supported by the original specification, at page 10, lines 16-20. Consequently, no new matter has been added.

Applicant's invention provides a system and method for disseminating advertising via the Internet. In one aspect, the invention provides an Internet user the opportunity to receive compensation in exchange for accepting the display of advertisements on his/her computer monitor in a non-dismissible browser window, wherein each advertisement is displayed for a predetermined time period. Although other forms of advertising via the Internet are known, the present system provides a combination of benefits to both the advertiser and the user. The advertiser has assurance that advertisements will be presented to the user, and the likelihood for the advertiser of influencing the user is increased, since the advertisement is inexorably displayed on the user's computer web browser for a known time interval. The user, on the other hand, has voluntarily agreed to accept such advertising in exchange for assured compensation in the form of credits for access time.

Claims 1, 3-8, 10-15, and 20 were rejected under 35 USC 103(a) as being unpatentable over US Patent 6,687,737 to Landsman et al. in view of US Patent 5,855,008 to Goldhaber et al.

Landsman et al. disclose a technique for implementing in a networked client-server environment, e.g., the Internet, network distributed advertising in which advertisements are downloaded from an advertising server to a browser executing at a client computer. The advertisements are subsequently displayed interstitially in response to a click-stream generated by the user to move from one web page to another.

Goldhaber et al. provides an approach for distributing advertising and other information over a computer network. The method is said to be usable to provide direct, immediate payment to a consumer for paying attention to an advertisement or other information.

As amended, claim 1 (and claims 3-7 and 20 dependent thereon) requires a registration means by which an Internet user can become a registered user and a compensation means by which the user is thereafter compensated, e.g. by receiving free hardware or software, for receiving advertisements that are displayed on the user's computer monitor in a window that cannot be dismissed before a predetermined time period fixed in the protocol by which the advertisement is transmitted from the Internet Service Provider. As amended, claim 1 is submitted to require in combination (i) the aforementioned registration means, (ii) compensation means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising free hardware or software, and (iii) at least one application logic set stored on the server, each of the application logic sets being provided with means for causing a browser of the user to display the advertisement in a

non-dismissible and temporary browser window on the monitor for a predetermined time period. It is submitted that the required combination of these features is not disclosed or suggested by Landsman et al. in view of Goldhaber et al. It is thus submitted that the subject matter of claims 1, 3-7, and 20 is nonobvious over Landsman et al. in view of Goldhaber et al.

Nowhere in Goldhaber et al. is there any disclosure or suggestion of compensating the user for receiving and viewing the advertisements by providing the user with free hardware or software. By way or comparison, the payments 60(a) and 60(b) which are given to consumers by Godhaber et al. are in the form of cash, and are not in the form of tangible computer goods. *See* Figs. 5 and 6 of Goldhaber et al, which depict the payment as a dollar bill. Applicant's invention allows the users who are compensated to experience certain hardware or software for their computing needs. For example, the free software or hardware may be affiliated with the same advertiser whose advertisement is being viewed by the user. The user may enjoy the free hardware or software enough to encourage him to purchase additional hardware or software from the same source again. By "sampling" certain hardware or software, this acts partly as an additional means for advertising to the user. Significantly, the compensation means of present claims 1-8 and 10-20 is limited to computer goods – namely, hardware or software.

In summary, present claims 1-8 and 10-20 call for a system as follows: (i) the consumer views an advertisement; and (ii) the advertiser compensates the consumer with free hardware or software. Goldhaber et al. does not disclose or suggest compensating a

user for viewing advertisements, wherein the compensation constitutes free hardware or software. Significantly, there is no mention of free hardware or software as the form of compensation in Goldhaber et al. In this respect, Goldhaber et al. does not add to the teaching of Landsman et al.; the Goldhaber et al. teaching cannot be properly combined with the Landsman et al. teaching to render obvious the system and method defined by claims 1-8 and 10-20, as amended.

Clearly, any system constructed from the combined teachings of the cited references would not contain both a registration means and compensation means for compensating a registered user for receiving and viewing said advertisement, wherein compensation was in the form of free hardware or software. In view of the amendment to claim 1 and the foregoing remarks, it is submitted that system claims 1, 3-7, and 20 are patentable over Landsman et al. in view of Goldhaber et al.

In as much as present claim 8 (and claims 10-14 dependent thereon), as well as present claim 15 have been amended in the same fashion as present claim 1, it is submitted that claims 8 and 10-15 are novel over Landsman et al. in view of Goldhaber et al. for the same reasons discussed hereinabove, regarding the rejection of claim 1. In particular, claim 8 (and claims 10-14 dependent thereon), as well as present claim 15 have been amended to require a method for advertising to a user of an Internet Service Provider, comprising the step of compensating the user for receiving and viewing the advertisement provided said user has previously registered, the compensation comprising free hardware or software.

Further regarding claim 8, applicant respectfully submits that any system implemented in accordance with the combined teaching of Landsman et al. and Goldhaber et al. would not incorporate the features required by claim 8. While Goldhaber et al. admittedly discloses certain forms of compensation of computer users, it is submitted that the Goldhaber et al. technique differs from that of claim 8 in significant respects. In particular, the Goldhaber et al. technique calls for users to be presented with a window having a list of ads that the user may elect to view. Col. 7, lines 28-30. Next to the titles displayed on the ad list is a "consumer interface button" with a distinctive style. The user receives compensation only after opening one of the listed ads by mouse-clicking the customer interface button corresponding to the given ad. Col. 7, lines 51-55. The user thus may avoid seeing ads altogether, albeit foregoing compensation as a result. By way of contrast, in the method provided by amended claim 8, by the act of registering, the user is assured of compensation. Further, the combined teaching of Landsman et al. and Goldhaber et al. does not disclose or suggest the particular type of compensation as required by present claims 1-8 and 10-20, namely, compensation being in the form of free hardware or software. Even in combination, Landsman et al. and Goldhaber et al. fail to disclose or suggest such a method for compensating the users.

In view of the amendments to claim 8 (as well as claims 10-14 dependent thereon) and claim 15, and the foregoing remarks, it is submitted that claims 8 and 10-15 are patentable over Landsman et al. in view of Goldhaber et al.

Accordingly, reconsideration of the rejection of claims 1, 3-8, 10-15, and 20 under 35 USC 103(a) as being unpatentable over Landsman et al. in view of Goldhaber et al. is respectfully requested.

Claims 2 and 16-19 were rejected under 35 USC 103(a) as being unpatentable over Landsman et al. in view of Goldhaber et al. and US Patent 5,854,897 to Radziewicz et al.

Radziewicz et al. discloses a communications marketing system, which allows a client station accessing a computer network through a Network Service provider to receive advertisements whenever the connection path between the client station and the Service Provider is idle.

Significantly, neither Landsman et al., Goldhaber et al., nor Radziewicz et al. discloses or suggests any system having, in combination, the aforementioned features delineated by claim 1, from which claims 2 and 18 depend, or claim 16, from which claims 17 and 19 depend, namely (i) registration means, (ii) compensation means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising free hardware or software, and (iii) at least one application logic set stored on the server, each of the application logic sets being provided with means for causing a browser of the user to display the advertisement in a non-dismissible and temporary browser window on the monitor for a predetermined time period. It is therefore respectfully submitted that claims 2 and 16-19 patentably define over the proposed combination of Landsman et al., Goldhaber et al., and Radziewicz et al.

Accordingly, reconsideration of the rejection of claims 2 and 16-19 under 35 USC 103(a) as being unpatentable over the combination of Landsman et al., Goldhaber et al. and Radziewicz et al. is respectfully requested.

Claims 1, 3-8, 10-15, and 20 were alternatively rejected under 35 USC 103(a) as being unpatentable over US Patent 6,687,737 to Landsman et al. in view of US Patent 5,996,007 to Klug et al.

Klug et al. discloses a method for providing selected content during waiting time of an internet session. Selected content such as product information and announcements is provided during waiting time of an Internet session. In one implementation, the process implemented by the waiting time message program of the invention involves monitoring (416) a user node to identify a web site access request, accessing (418) a previously stored message set, selecting (432) a message from the message set and displaying or playing back (434) the selected message. The message set and particular messages may be selected based on user information (e.g., demographic, psychographic, or product preference information), information regarding the expected waiting time or other information. Messages are thereby provided during waiting time that would otherwise be essentially wasted from the perspective of an ordinary Internet user, e.g., during processing time associated with the exchange of information between Internet content providers and Internet content users.

Inasmuch as Klug et al. is relied upon by the Examiner only because of its disclosure pertaining to the previous claim language relating to "credits for access time", it is submitted that this alternative ground of rejection has been obviated. Further, neither Landsman et al. nor Klug et al. discloses or suggests any system having, in combination, the aforementioned features delineated by claim 1, from which claims 3-7 and 20 depend, or claim 8, from which claims 10-14 depend, or claim 15 namely (i) registration means, (ii) compensation means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising free hardware or software, and (iii) at least one application logic set stored on the server, each of the application logic sets being provided with means for causing a browser of the user to display the advertisement in a non-dismissible and temporary browser window on the monitor for a predetermined time period. It is therefore respectfully submitted that claims 1, 3-8, 10-15, and 20 patentably define over the combination of Landsman et al. and Klug et al.

Accordingly, reconsideration of the rejection of claims 1, 3-8, 10-15, and 20 under 35 USC 103(a) as being unpatentable over the combination of Landsman et al and Klug et al. is respectfully requested.

Claims 2 and 16-19 were alternatively rejected under 35 USC 103(a) as being unpatentable over US Patent 6,687,737 to Landsman et al. in view of US Patent 5,996,007 to Klug et al and US Patent 5,854,897.

Significantly, neither Landsman et al., Klug et al., nor Radziewicz et al. discloses or suggests any system having, in combination, the aforementioned features delineated by claim 1, from which claims 2 and 18 depend, or claim 16, from which claims 17 and 19 depend, namely (i) registration means, (ii) compensation means for compensating the user for receiving and viewing the advertisement provided the user has previously registered, the compensation means comprising free hardware or software, and (iii) at least one application logic set stored on the server, each of the application logic sets being provided with means for causing a browser of the user to display the advertisement in a non-dismissible and temporary browser window on the monitor for a predetermined time period. It is therefore respectfully submitted that claims 2 and 16-19 patentably define over the combination of Landsman et al., Klug et al., and Radziewicz et al.

Accordingly, reconsideration of the rejection of claims 2 and 16-19 under 35 USC 103(a) as being unpatentable over the combination of Landsman et al., Klug et al. and Radziewicz et al. is respectfully requested.

CONCLUSION

In view of the amendment to the claims and the foregoing remarks, it is respectfully submitted that the present application has been placed in allowable condition. Entry of the present Amendment, reconsideration of the rejections set forth in

the Office Action dated June 9, 2006, and allowance of claims 1-8 and 10-20, as amended, are earnestly solicited.

Respectfully submitted,

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